

Message Text

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PAGE 01 STATE 211302

62

ORIGIN L-03

INFO OCT-01 ARA-16 IO-14 ISO-00 OMB-01 TAR-02 SPC-03

AGR-20 AID-20 CIAE-00 COME-00 EB-11 INR-10 LAB-06

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CEA-02 AF-10 EA-11 EUR-25 NEA-10 /181 R

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK PRIORITY

INFO USMISSION GENEVA

AMEMBASSY MEXICO

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E.O. 11652: N/A

TAGS: UNCTAD, UNGA, MX, SZ, UNIDO, ECOSOC

SUBJECT: UNCTAD CHARTER OF ECONOMIC RIGHTS AND DUTIES OF
STATES

REF: USUN'S 04170

MEXICAN DRAFT RESOLUTION IS GENERALLY ACCEPTABLE.
HOWEVER, WE HOPE MEXICO WOULD BE PREPARED TO ACCEPT
FOLLOWING CHANGES:

1. PREAMBULAR PARA 3: DELETE QTE URGENT UNQTE AND
SUBSTITUTE FOR QTE BASIC NORMS UNQTE THE WORDS QTE
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PAGE 02 STATE 211302

FUNDAMENTAL PRINCIPLES UNQTE.

2. ADD A FOURTH PREAMBULAR PARAGRAPH QTE AFFIRMING ITS BELIEF THAT A GENERALLY ACCEPTED CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES WHICH SETS FORTH PRINCIPLES FOR THE CONDUCT OF INTERNATIONAL ECONOMIC RELATIONS, TAKING ACCOUNT OF THE CONCERNS OF ALL NATIONS, CAN MAKE AN HISTORIC CONTRIBUTION TO INTERNATIONAL PEACE AND COOPERATION.

3. OPERATIVE PARA 4: RECAST TO DELETE PHRASE ON CODIFICATION AND DEVELOPMENT SO THAT THIS PARA WOULD READ: QTE URGES THE WORKING GROUP TO COMPLETE A COMPREHENSIVE DRAFT CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES IN 1974 IN THE HOPE THAT IT MAY BE EXAMINED AND APPROVED BY THE GENERAL ASSEMBLY AT ITS XXIX SESSION UNQTE.

4. WE ADVANCE THESE SUGGESTIONS BECAUSE WE FIND REFERENCE TO QTE NORMS UNQTE AND QTE CODIFICATION AND DEVELOPMENT UNQTE SUGGESTIVE OF A BINDING INTERNATIONAL INSTRUMENT, RATHER THAN THE STATEMENT OF PRINCIPLES TO WHICH WE LOOK.

5. IF MEXICO IS PREPARED TO ACCEPT THESE SUGGESTED CHANGES, AND ASSUMING NO SUBSTANTIAL OBJECTION BY WEO'S WITH WHOM YOU SHOULD CONSULT, YOU ARE AUTHORIZED TO COMMIT USG TO CO-SPONSORSHIP OF RES, IF NECESSARY WITHOUT ADDITION OF PROPOSED FOURTH PREAMBULAR PARA (PARA 2 THIS MESSAGE).

6. IN DISCUSSING OUR SUGGESTED REVISIONS WITH MEXICAN DEL, SUGGEST YOU REAFFIRM COMMITMENT TO USG'S SERIOUS APPROACH TO QUESTION OF DRAFTING OF CHARTER AND OUR DESIRE TO BE IN A POSITION IN WHICH USG CAN SUPPORT BOTH THIS RES AND TEXT OF CHARTER WHEN IT ULTIMATELY EMERGES. AT SAME TIME, INDICATE OUR INABILITY TO ACCEPT A CHARTER THAT PURPORTS TO BE BINDING UNDER INTERNATIONAL LAW, WHETHER THAT CHARTER TAKES THE FORM OF A UN DECLARATION OR A TREATY. USG CAN SUPPORT A DECLARATION OF GOALS AND PRINCIPLES, ON MODEL OF LIMITED OFFICIAL USE

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PAGE 03 STATE 211302

UNIVERSAL DECLARATION OF HUMAN RIGHTS, WHICH, WHILE NOT BINDING, HAS NEVERTHELESS HAD GREAT INFLUENCE. KISSINGER

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